THE HONOURABLE SRI JUSTICE P.S.NARAYANA

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W.P.No. 14467 of 2006

Dated:17-08-2006

Between:

Kesoju Uma Petitioner

And

The State Election Commission, Hydeabad and others.

Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

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W.P.No. 14467 of 2006

ORDER:

1. The writ petition is filed for a writ of Mandamus declaring the action of the respondents in making preparations to conduct election to the post of Sarpanch, Ragadithanda Gramapanchayat, Jafargadh Mandal, Warangal District in pursuance of the notification issued by the first respondent on 9.7.2006, before expiry of term of office of the petitioner, as Sarpanch of the said Gramapanchayat, as bad, arbitrary, illegal, unconstitutional, unsustainable and against the principles of natural justice and consequently direct the respondents not to hold election to the post of Sarpanch, Regadi Thanda Gramapanchayat, Jafargadh Mandal, Warangal, till completion of term of office the petitioner, as Sarpanch of the said Gamapanchayat and pass such other suitable orders.

2. Several factual details had been narrated and in particular reference was made to Para 6 of the affidavit filed in support of the writ petition. It is stated that in pursuance of the orders made in Writ Appeal No.465 of 2004, the Collector (Panchayat Wing), Warangal had addressed letter dated 31.12.2003 to the first respondent seeking further orders in the election process and in pursuance of the directions of the first respondent, the Election Officer of Regadithanda Gramapanchayat had declared the election of the petitioner as Sarpanch of the said Gramapanachayat and also issued an election certificate on 11.1.2004 and in pursuance of the said declaration, the charge of the post of Sarpanch was handed over to the petitioner on 11.1.2004 by the Upa Sarpanch, who was holding the charge of the post of Sarpanch and since 11.1.2004, the petitioner

had been functioning as Sarpanch of Regadithanda Gramapanchayat. Even as per very averments made in the affidavit filed in support of the writ petition, it is clear that the Sarpanch had taken over charge from the Upa Sarpanch, who was holding the charge of the post of Sarpanch.

3. Apart from this aspect of the matter, it is stated that the elections were held in pursuance of the notification and a duly elected Sarpanch had taken oath and the same is hereby recorded. As elections had been conducted already and new Sarpanch declared elected, no further orders are required to be passed in this writ petition.

4. The writ petition is accordingly closed. No order as to costs.

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17-08-2006

Stp